



Atty. Dkt. No. 040447-0225

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Motohisa WATANABE
Title: POS REGISTERING SYSTEM CAPABLE OF CHANGING A SALES
ITEM TO ANOTHER SALES ITEM WITH SIMPLE OPERATION
Appl. No.: 09/657,360
Filing Date: 09/07/2000
Examiner: A. J. Fischer
Art Unit: 3627

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, NEC Infrontia Corporation, having its principal place of business at 2-6-1 Kitamikata, Takatsu-ku, Kawasaki, 213-8511 JAPAN, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 09/657,360, filed 09/07/2000, by virtue of an Assignment filed and recorded on 10/03/2001, on Reel/Frame 012219/0176, in the United States Patent and Trademark Office, a copy of which is attached hereto in the Appendix, and by virtue of an Assignment filed and recorded on 09/07/2000, on Reel/Frame 011085/0475, in the United States Patent and Trademark Office, a copy of which is also attached hereto in the Appendix. Further, your Petitioner represents that it is the owner of U.S. Patent Application No. 10/259,328, filed 09/30/2002, which is a divisional of U.S. Patent Application Serial No. 09/657,360, filed 09/07/2000, by virtue of an Assignment filed and recorded on 10/03/2001, on Reel/Frame 012219/0176, in the United States Patent and Trademark Office, a copy of which is attached hereto in the Appendix, and by virtue of an Assignment filed and recorded on 09/07/2000, on Reel/Frame 011085/0475, in the United States Patent and Trademark Office, a copy of which is also attached hereto in the Appendix.

05/05/2005 SZEWDIE1 00000016 09657360

02 FC:1814

130.00 0P

Your Petitioner, NEC Infrontia Corporation, hereby disclaims the terminal part of the term of any patent granted on U.S. Patent Application 09/657,360 which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application 10/259,328, and hereby agrees that any patent so granted on U.S. Patent Application 09/657,360 shall be enforceable only for and during such period that the legal title to any patent granted on U.S. Patent Application 10/259,328 shall be the same as the legal title to any patent granted on U.S. Patent Application 09/657,360, this agreement to run with any patent granted on U.S. Patent Application 09/657,360 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on U.S. Patent Application 09/657,360, prior to the full statutory term of any patent granted on U.S. Patent Application 10/259,328 as defined in 35 U.S.C. §§154-156 and 173, in the event that any patent granted on U.S. Patent Application 10/259,328 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of any patent granted on U.S. Patent Application 10/259,328 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on U.S. Patent Application 09/657,360 that would extend beyond the present termination of any patent granted on U.S. Patent Application 10/259,328, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on U.S. Patent Application 09/657,360 to the extent provided by law.

The undersigned, being the Attorney of Record for U.S. Patent Application 09/657,360, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments attached as the APPENDIX, and to the best of his knowledge and belief,

legal title to U.S. Patent Application 09/657,360 and any patent granted on U.S. Patent Application 10/259,328 rests with Petitioners, NEC Infrontia Corporation. The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

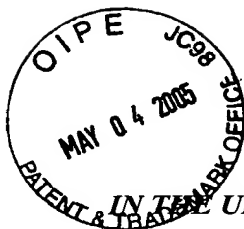
Respectfully submitted,

Date May 4, 2005

By 

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5300
Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768



WAF

Atty. Dkt. No. 040447-0225

Applicant: Motohisa WATANABE
Title: POS REGISTERING SYSTEM CAPABLE OF CHANGING A SALES
ITEM TO ANOTHER SALES ITEM WITH SIMPLE OPERATION
Appl. No.: 09/657,360
Filing Date: 9/7/2000
Examiner: A. J. Fischer
Art Unit: 3627

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [X] Amendment and Reply Under 37 CFR § 1.116 (11pgs);
[X] Petition for Extension of Time (1 pg.);
[X] Terminal Disclaimer (3 pgs.);
[X] Appendix including 2 Assignment documents (11pgs.).
[X] The fee required for additional claims is calculated below:

| | Claims As Amended | | Previously Paid For | | Extra Claims Present | | Rate | | Additional Claims Fee |
|--|-------------------------|---|------------------------|---|-------------------------|---|----------|---|--------------------------|
| Total Claims: | 4 | - | 20 | = | 0 | x | \$50.00 | = | \$0.00 |
| Independent Claims: | 4 | - | 12 | = | 0 | x | \$200.00 | = | \$0.00 |
| First presentation of any Multiple Dependent Claims: | | | | | | + | \$360.00 | = | \$0.00 |
| CLAIMS FEE TOTAL | | | | | | | | = | \$0.00 |

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

| | | | |
|---|---|------------|----------|
| <input type="checkbox"/> | Extension for response filed within the first month: | \$120.00 | \$120.00 |
| <input type="checkbox"/> | Extension for response filed within the second month: | \$450.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the third month: | \$1,020.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fourth month: | \$1,590.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fifth month: | \$2,160.00 | \$0.00 |
| EXTENSION FEE TOTAL: | | | \$120.00 |
| <input checked="" type="checkbox"/> | Statutory Disclaimer Fee under 37 C.F.R. 1.20(d): | \$130.00 | \$130.00 |
| CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL: | | | \$250.00 |
| <input type="checkbox"/> | Small Entity Fees Apply (subtract ½ of above): | | \$0.00 |
| TOTAL FEE: | | | \$250.00 |

- ☒ A check in the amount of \$250.00 is enclosed.

- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

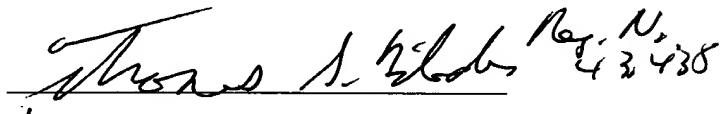
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date May 4, 2005

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5407
Facsimile: (202) 672-5399

By


David A. Blumenthal
Attorney for Applicant
Registration No. 26,257



UNITED STATES
PATENT AND
TRADEMARK OFFICE



DECEMBER 07, 2001

PTAS

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

FOLEY & LARDNER
DAVID A. BLUMENTHAL
WASHINGTON HARBOUR
3000 K STREET, N.W., SUITE 500
WASHINGTON, D.C. 20007-5109



101868729A

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FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/03/2001

REEL/FRAME: 012219/0176
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
NEC CORPORATION

DOC DATE: 10/02/2001

ASSIGNEE:
NEC INFRONTIA CORPORATION
2-6-1 KITAMIKATA, TAKATSU-KU
KAWASAKI, 213-8511, JAPAN

SERIAL NUMBER: 09233475
PATENT NUMBER:

FILING DATE: 01/20/1999
ISSUE DATE:

SERIAL NUMBER: 09618098
PATENT NUMBER:

FILING DATE: 07/17/2000
ISSUE DATE:

SERIAL NUMBER: 09517507
PATENT NUMBER:

FILING DATE: 03/02/2000
ISSUE DATE:

SERIAL NUMBER: 09657360
PATENT NUMBER:

FILING DATE: 09/07/2000
ISSUE DATE:

012219/0176 PAGE 2

SERIAL NUMBER: 09589084
PATENT NUMBER:

SERIAL NUMBER: 09734194
PATENT NUMBER:

SERIAL NUMBER: 07827038
PATENT NUMBER: 5467270

SERIAL NUMBER: 08865659
PATENT NUMBER: 5956749

SERIAL NUMBER: 08979147
PATENT NUMBER: 5969512

SERIAL NUMBER: 09020293
PATENT NUMBER: 6115459

SERIAL NUMBER: 09174540
PATENT NUMBER: 6163846

SERIAL NUMBER: 09175972
PATENT NUMBER: 6191505

FILING DATE: 06/08/2000
ISSUE DATE:

FILING DATE: 12/12/2000
ISSUE DATE:

FILING DATE: 01/29/1992
ISSUE DATE: 11/14/1995

FILING DATE: 05/30/1997
ISSUE DATE: 09/21/1999

FILING DATE: 11/26/1997
ISSUE DATE: 10/19/1999

FILING DATE: 02/06/1998
ISSUE DATE: 09/05/2000

FILING DATE: 10/19/1998
ISSUE DATE: 12/19/2000

FILING DATE: 10/21/1998
ISSUE DATE: 02/20/2001

KIMBERLY WHITE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

FORM PTO-1595 (modified)

(Rev 6-93)

10-10-2001

U.S. DEPARTMENT OF COMMERCE

HEET

Patent and Trademark Office

To the Director of the United States Patent

101868729

Attached original documents or copies thereof.

1. Name of conveying party(ies):

NEC Corporation

2. Name and address of receiving party(ies):

NEC Infrontia Corporation
2-6-1 Kitamikata, Takatsu-ku
Kawasaki, 213-8511 JAPAN

Additional conveying party(ies) NO

3. Nature of conveyance:

ASSIGNMENT

Execution Date:

October 2, 2001

Additional name(s) & address(es) attached? NO

4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is:

A. Patent Application Numbers (Schedule B):

09/233475 09/517507 09/589084
09/618098 09/657360 09/734194

B. Patent Numbers (Schedule A):

5,467,270 5,956,749 5,969,512
6,115,459 6,163,846 6,191,505

Additional numbers attached? NO

5. Name and address of party to whom correspondence concerning document should be mailed:

David A. Blumenthal
FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109

6. Total number of applications/patents involved: 12

7. Total fee (37 C.F.R. § 3.41): \$480.00

☒ Check Enclosed

Charge to deposit account

8. Deposit account number: 19-0741

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9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.

for David A. Blumenthal

Aaron C. Challegee

October 3, 2001

Name of person signing

Signature

Date

09/2001 LNUELLER 00000118 09233475

Total number of pages including cover sheet, attachments, and document: 5

1 FC:581

480.00 OP

102.646290.1

ASSIGNMENT OF U.S. PATENTS AND APPLICATIONS

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned company:

NEC Corporation

having a place of business at

7-1, Shiba 5-chome, Minato-ku, Tokyo, 108-8001 Japan

owner of the rights in the United States of America and its territories and possessions to the below listed U.S. Patents (Schedule A) and U.S. Patent Applications (Schedule B), as evidenced in the Assignment records in the U.S. Patent and Trademark Office, by these presents hereby sells and assigns, unto:

NEC Infrontia Corporation

having an address at

2-6-1 Kitamikata, Takatsu-ku, Kawasaki, 213-8511 Japan

(hereinafter "ASSIGNEE") all right, title and interest for the United States of America, its territories and possessions, in and to the inventions, the U.S. Patents and the U.S. Patent Applications including any reissue and extensions of Letters Patents granted for said inventions and in and to the U.S. Patent Applications, including any and all divisions or continuations thereof and in and to any and all Letters Patents of the United States which may issue on any such U.S. Patent Applications or for said inventions, including any and all reissues or extensions thereof, said U.S. Patents and said U.S. Patent Applications identified on the attached Schedules A and B, respectively;

This assignment being under covenant, not only that full power to make the same is had by the undersigned, but also that such assigned right is not encumbered by any grant, license, or other right heretofore given, such that the U.S. Patents and the U.S. Patent Applications shall be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the terms for which any and all such U.S. Patents and the U.S. Patent Applications have been or may be granted as fully and entirely as the same could have been held and enjoyed by the undersigned if this Assignment had not been made.

The undersigned hereby grants the firm of FOLEY & LARDNER the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

Company:

NEC CORPORATION

Date: October 2, 2001

By: X

Nagahisa Yuasa

Name: Nagahisa Yuasa

Title: Assistant General Manager
Intellectual Property Division

Date: October 2, 2001

WITNESS:

Akira Muto
Akira Muto

Date: _____

WITNESS: _____

Note: Prima facie evidence of execution may optionally be obtained by execution of this document before a notary public (in the U.S.) or before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by certificate from a U.S. Consul (in other countries).

SCHEDULE A

U.S. PATENTS

| <u>PATENT NUMBER</u> | <u>ISSUE DATE</u> | <u>TITLE</u> |
|--------------------------|--------------------|---|
| 5,467,270 | November 14, 1995 | System and Method of POS Based Fuzzy Theory Utilizing Data Extraction |
| 5,956,749 | September 21, 1999 | Data Back-up System Using Nonvolatile Read/Write Memory |
| 5,969,512 | October 19, 1999 | Output Voltage Variable Power Circuit |
| 6,115,459 | September 5, 2000 | Telephone Switching System for Easily Implementing Modification of Connection Information and Medium Storing Telephone System Control Program |
| 6,163,846 | December 19, 2000 | Method and Circuit for Backing up Memory and Calendar |
| 6,191,505 | February 20, 2001 | On-Off Control Device for Power Source Unit |

SCHEDULE B

U.S. PATENT APPLICATIONS

| <u>APPLICATION NUMBER</u> | <u>FILING DATE</u> | <u>TITLE</u> |
|-------------------------------|--------------------|---|
| 09/233475 | January 20, 1999 | Voice Mail Apparatus and Method of Processing Voice Mail |
| 09/517507 | March 2, 2000 | Button Telephone Apparatus and Internet Communication System |
| 09/589084 | June 8, 2000 | Internet Service Telephone Communication Connection Method |
| 09/618098 | July 17, 2000 | Display Element Lightning Method and Display Device |
| 09/657360 | September 7, 2000 | POS Registering System Capable of Changing a Sales Item to Another Sales Item with Simple Operation |
| 09/734194 | December 12, 2000 | Power Management System for Use with Wireless LAN Terminal |



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DABL

40447/225

NOVEMBER 08, 2000

PTAS

FOLEY & LARDNER
DAVID A. BLUMENTHAL
3000 K STREET, N.W., SUITE 500
WASHINGTON HARBOUR
WASHINGTON, D.C. 20007-5109



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RECORDATION DATE: 09/07/2000

REEL/FRAME: 011085/0475
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

WATANABE, MOTOHISA

DOC DATE: 08/25/2000

ASSIGNEE:

NEC CORPORATION
7-1 SHIBA 5-CHOME
MINATO-KU, TOKYO, JAPAN

SERIAL NUMBER: 09657360
PATENT NUMBER:

FILING DATE: 09/07/2000
ISSUE DATE:

ANTIONE ROYALL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

FORM PTO-1595 (modified)

(Rev 6-93)

RECORD
P

09-22-2000



101466044

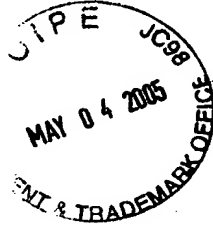
U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Commissioner of Patents and Trademarks: Please record this document and all documents or copies thereof.

1. Name of conveying party(ies):

Motohisa WATANABE



2. Name and address of receiving party(ies):

NEC CORPORATION
7-1 Shiba 5-chome
Minato-ku, Tokyo
JAPAN



Additional conveying party(ies)

NO

3. Nature of conveyance:

ASSIGNMENT

Execution Date:

August 25, 2000

Additional name(s) & address(es) attached? NO

4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is: August 25, 2000

A. Patent Application Number(s):

Unassigned

B. Patent Number(s):

Additional numbers attached? NO

5. Name and address of party to whom correspondence concerning document should be mailed:

David A. Blumenthal
FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109

6. Total number of applications/patents involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00

☒ Check Enclosed

Charge to deposit account

8. Deposit account number: 19-0741

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9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.

Ankur D Shah
David A. Blumenthal

[Signature]
15 10 4514

September 7, 2000

Name of person signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 2

ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

name and
address of
assignee

NEC Corporation
7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to this invention relating to

title of
invention

POS Registering System Capable of Changing a Sales Item to
Another Sales Item with Simple Operation

as set forth in this United States Patent Application

check one

☒ executed concurrently herewith

☐ executed on _____

☐ Serial No. _____ Filed _____

in and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns in accordance herewith;

Each of the undersigned warrants and covenants that he has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he has not executed and will not execute any document or instrument in conflict herewith;

Each of the undersigned further covenants and agrees he will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him relating to said invention or patent application and that he will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;

Each of the undersigned hereby grants the firm of FOLEY & LARDNER the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

| NAMES AND SIGNATURES OF INVENTORS | | |
|-----------------------------------|-------------------------------------|-----------------------|
| Name: Motohisa WATANABE | Signature: <i>Motohisa Watanabe</i> | Date: August 25, 2000 |
| Name: | Signature: | Date: |
| Name: | Signature: | Date: |
| Name: | Signature: | Date: |
| NAMES AND SIGNATURES OF WITNESSES | | |
| Name: | Signature: <i>Nobuyuki Iwakata</i> | Date: August 25, 2000 |
| Name: | Signature: <i>[Signature]</i> | Date: August 25, 2000 |

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